

**TOWN OF ELSMERE
BOARD OF ADJUSTMENT
MEETING MINUTES
March 25, 2014
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

CHAIRMAN	JAMES PERSONTI	PRESENT
BOARD MEMBER	JOHN ACTON	ABSENT
BOARD MEMBER	PATRICIA BOYD	PRESENT
BOARD MEMBER	RON RUSSO	PRESENT
BOARD MEMBER	JOHN SMITH	PRESENT

APPROVAL OF MINUTES:

Minutes from the March 10, 2014 Board of Adjustment Meeting

Minutes not available pending the release of the court reporter's transcript.

OLD BUSINESS:

None

NEW BUSINESS:

Review Petition 14-03 Tax Parcel # 1900-200-236

Edward Szczerba, owner of property at 2100 Rodman Rd, stated that he is requesting a variance to allow a school to operate at this location. The High Road School of Delaware wants to expand from its location next door to the building on his property at 2100 Rodman Rd. Board Members asked questions regarding the available parking. Mr. Szczerba responded that there are currently 10 to 15 spaces available and parking behind the building would be designated for the school. Handicap spots could be installed to meet town requirements.

Code Officer Brian Swift stated that the town had requested a parking plan, which the petitioner has not submitted yet. Code Officer Swift also stated that the Code requires nine spaces. Town Manager John Giles stated that the petitioner had not submitted any of the follow up information that had been requested by the Town. Mr. Szczerba agreed to supply a parking plan. Mr. Szczerba also stated the school has ample parking on its

existing property and would not need his property for parking. Town Manager Giles stated that the Code requires mandatory parking requirements on his property.

Town Manager Giles stated that the recommendation from the Planning Commission included an evacuation plan in the case of flooding. The area has an issue with significant flood during periods of heavy rain.

Josh Strzegowski, a representative from High Roads School of Delaware, spoke for the petitioner. Mr. Strzegowski stated the school serves students with special needs and is in need of room to expand. Mr. Strzegowski also stated that the school operates on grants and does not charge any tuition fees.

The board members asked questions about the school's operations. Mr. Strzegowski stated that the school currently has 36 students and has a maximum capacity of 40 students. Code Officer Swift stated that the Fire Marshal has rated the capacity of the proposed building at 31 people. Councilwoman Joann I. Personti asked the Town whether there had been any problems with the school's students in the past. Town Manager Giles responded that there had been some problems in the past where the police had become involved but it has improved.

ACTION: A motion was made by Board Member Russo to approve Petition 14-03 with the contingencies to submit a site plan that shows the parking plan and a written emergency evacuation plan from the school. Board Member Boyd seconded the motion.

VOTE: 4 in favor, 1 absent Motion carried

Personti – Yes, Acton – Absent, Boyd – Yes, Russo – Yes, Smith – Yes

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Board Member Russo to adjourn. The motion was seconded by Board Member Smith.

VOTE: 4 in favor, 1 absent Motion carried

Personti – Yes, Acton – Absent, Boyd – Yes, Russo – Yes, Smith – Yes

These minutes summarize the agenda items and other issues discussed at the March 25, 2014 Board of Adjustment Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

JAMES PERSONTI, CHAIRMAN

PATTY BOYD, SECRETARY